

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Alberto Radames GARCIA-Jimenez,

Defendant.

} Magistrate Case No.: **'08 MJ 86 29**

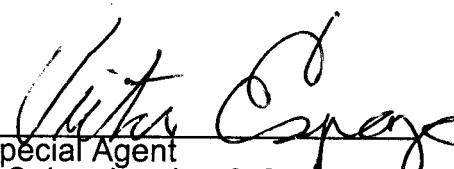
} COMPLAINT FOR VIOLATION OF

} 21 U.S.C. § 952 and 960
Importation of a Controlled Substance
(Felony)

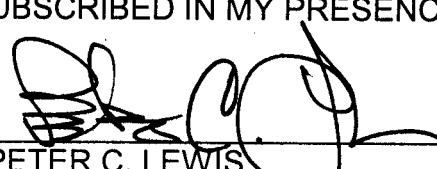
The undersigned complainant being duly sworn states:

That on or about July 9, 2008, within the Southern District of California, defendant Alberto Radames GARCIA-Jimenez, did knowingly and intentionally import approximately 30.66 kilograms (67.45 pounds) of marijuana a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.


Special Agent
U.S. Immigration & Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, ON THIS
10th DAY OF JULY, 2008


PETER C. LEWIS
UNITED STATES MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA
2 v.
3 Alberto Radames GARCIA-Jimenez

4 STATEMENT OF FACTS
5

6 This Statement of Facts is based on the reports, documents, and notes
7 furnished to U. S. Immigration and Customs Enforcement Special Agent Victor O.
8 Esparza.
9

10 On July 9, 2008, at approximately 1645 hours, Alberto Radames GARCIA-
11 Jimenez, applied for admission into the United States from Mexico, at the Calexico,
12 California West Port of Entry. GARCIA was the driver and sole occupant of a 2001
13 Ford F-150 pickup.
14

15 GARCIA presented his border crossing card to Customs and Border Protection
16 Officer J. Carp. GARCIA gave a negative Customs declaration and stated to CBP
17 Officer Carp that the vehicle belonged to his comadre and that he was on his way to
18 Calexico.
19

20 During a visual inspection of the vehicle, CBP Officer Carp noticed sprayed on
21 mud on the gas tank. After tapping on the gas tank CBP Officer Carp felt a solid sound.
22 At this time, GARCIA and the vehicle were escorted to secondary for further inspection.
23

24 In vehicle secondary Canine Enforcement Officer E. Barroso was requested to
25 utilize his Narcotic Detection Dog to inspect the vehicle. The Narcotic Detection Dog
26 alerted to an odor of narcotics emanating from the gas tank area of the vehicle that
27 GARCIA was driving. After the gas tank was removed a total of twenty-two (22)
28 packages were removed from the hidden compartment inside the gas tank. CBP
29 Officer Carp probed one of the packages and a sample of a green leafy substance was
extracted, that field-tested positive for marijuana. The (22) packages had a combined
net weight of approximately 30.66 kilograms or (67.45 pounds).

GARCIA was arrested for importation of marijuana into the United States. Special
Agent Victor Esparza advised GARCIA of his Miranda rights which he acknowledged and
waived. GARCIA admitted knowledge of the marijuana in the vehicle.